

REMARKS

Claims 2-14 and 22-28 are pending in the instant application. Claims 2, 5, and 22 have been amended without prejudice or acquiescence in order to further the prosecution of the instant application. Claims 1, 15-21, and 29-40 have been cancelled. Applicants retain the right to file a divisional or a continuation application directed to any cancelled or withdrawn claims. The issues outstanding in the instant application are as follows:

- Claim 1 has been rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claim 7 of U.S. Patent Application No. 09/896,429.
- Claim 1 has been rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 5,549,632 (Lai).
- Claims 15-17, 20, and 21 have been rejected under 35 U.S.C. § 103 as allegedly being obvious over U.S. Patent No. 5,549,632 (Lai) in view of U.S. Patent No. 6,436,113 (Burba et al.).
- Claims 18 and 19 have been rejected under 35 U.S.C. § 103 as allegedly being obvious over U.S. Patent No. 5,549,632 (Lai) in view of U.S. Patent No. 6,436,113 (Burba et al.) and further in view of U.S. Patent No. 6,247,473.

I. Double Patenting Issues

Claim 1 has been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claim 7 of U.S. Patent Application No. 09/896,429. In light of the cancellation of claim 1, Applicants consider this issue to be moot.

II. 102 issues

The Examiner has rejected claim 1 under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 5,549,632 (Lai). In light of the cancellation of claim 1, Applicants consider this issue to be moot.

III. 103 issues


The Examiner has rejected claims 15-17, 20, and 21 under 35 U.S.C. § 103 as allegedly being obvious over U.S. Patent No. 5,549,632 (Lai) in view of U.S. Patent No. 6,436,113 (Burba et al.). The Examiner has rejected claims 18 and 19 under 35 U.S.C. § 103 as allegedly being obvious over U.S. Patent No. 5,549,632 (Lai) in view of U.S. Patent No. 6,436,113 (Burba et al.) and further in view of U.S. Patent No. 6,247,473 (Yavits). Applicants have cancelled claims 15-21, and thus consider this issue to be moot.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Enclosed herein is a petition for a one-month extension of time and a check for \$55. Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02540US0 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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